

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SSP CAPITAL PARTNERS, LLC,

Plaintiff,

- v -

MANDALA LLC, HAROUST, LLC and 316  
SECOND AVENUE, LLC,

Defendants.

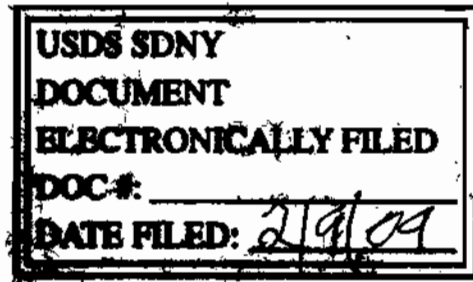
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**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**

On August 26, 2008, plaintiff moved for summary judgment in this matter. For the reasons stated on the record during oral argument on February 6, 2009, plaintiff's motion is DENIED.

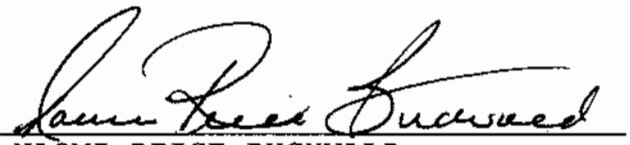
**IT IS SO ORDERED.**

Dated: New York, New York  
February 9, 2009



ORDER

07 Civ. 3878 (NRB)

  
NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE